

# National Sea Grant Law Center 2012 NSGO Review

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# National Law Center Program Management

- Director, Stephanie Showalter Otts, (0.75 FTE\*)
  - Research Counsel, Terra Bowling (1.0 FTE)
  - Web Developer, Waurene Roberson (.90 FTE) retired 12/31/11
  - Program Coordinator, Dominiqua Dickey (1.0 FTE)
  - Ocean and Coastal Law Fellow, Nicholas Lund (1.0 FTE) finished 9/11
  - Small-Sized Program
- 
- 0.25 FTE Director of the Mississippi-Alabama Sea Grant Legal Program
  - Stephanie is upcoming 2012-14 NAC Chair and will represent this body on National Sea Grant Strategic Plan Steering Committee
  - Stepping down as Chair, SG Legal Network, est. 2009. Major leadership role for this growing network.

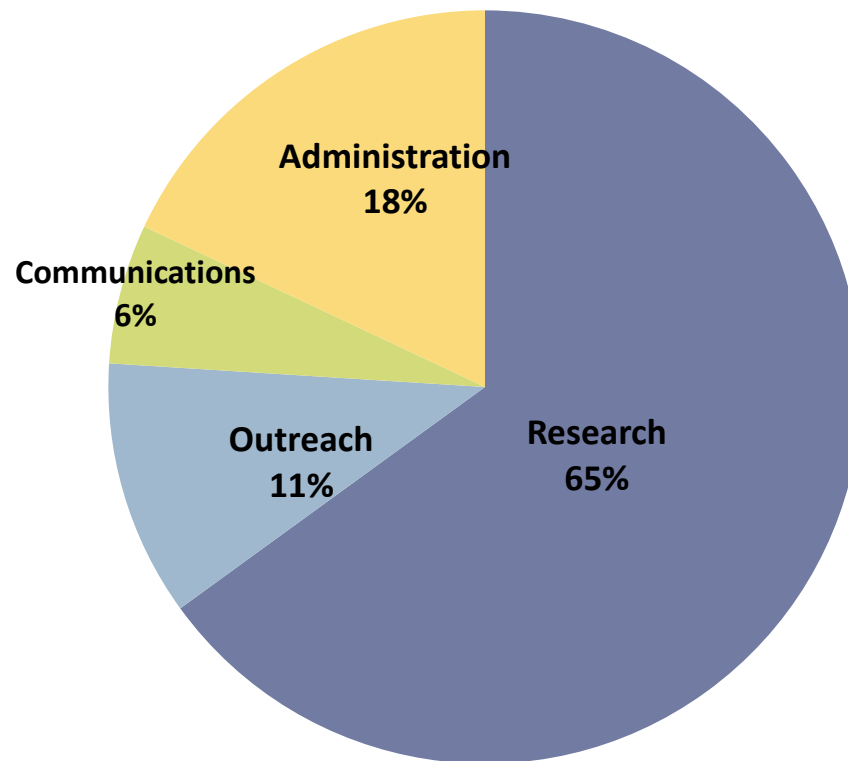
# National Law Center Program Management

- Total FTEs on staff (information in Annual report metrics)

Functional Area	# of individuals	# of FTEs supported by SG	# of FTEs supported by match/leverage
Mgt/Admin	2	1.3	.45
Comm.	1	.9	0
Ext.	1	1	0
Education	0	0	0
Research	1	1	0

# National Law Center 2010 Core Budget (Fed + Match) towards each Functional Area

**2010 Effort by Functional Area**

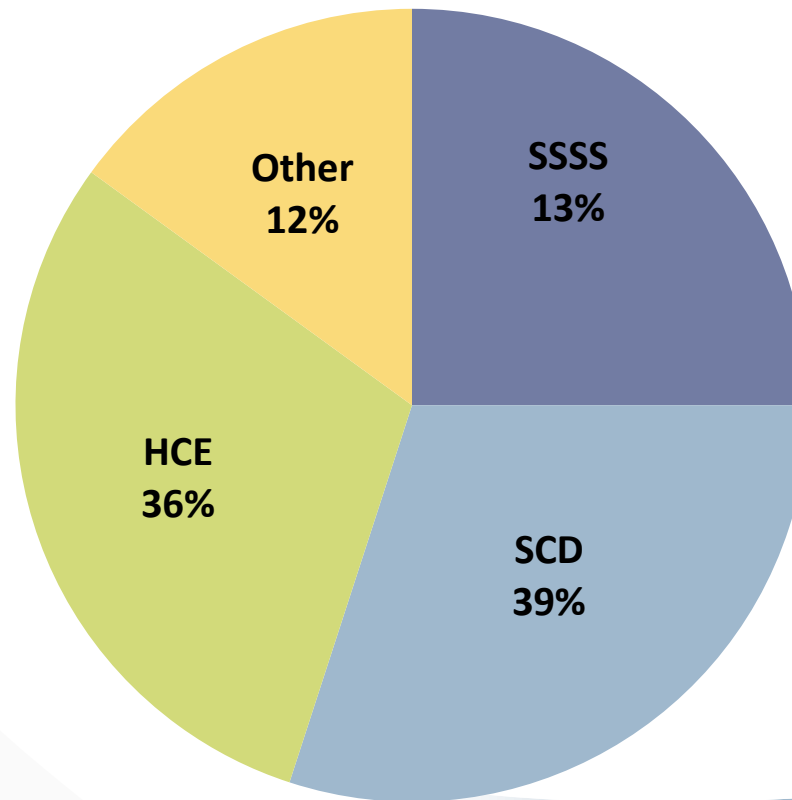


Fall 2011, Law School Dean agreed to direct money back to Law Center.  
Starting January 2012, 45% of F&A directed back into program.

# National Law Center 2010 Budget towards each Focus Area (Fed + Match + Pass-Through + Managed

Leveraged Funds)

**Effort by Focus Area**



# Significant National Law Center Changes (since Jan. 2011)

- National Sea Grant Law Center FFO

# National Law Center Program RFP Process

- Similar to Sea Grant Programs
- Objective: build the capacity of Sea Grant programs to address legal issues
  - Non-Sea Grant PI's must incorporate Sea Grant into proposals – e.g., as co-PI, outreach lead, or advisory role
- Competitive
  - Research prioritization to support the NSGLC Strategic Plan, National Focus Areas, and NOAA Strategic Plans
  - RFP solicits pre-proposals for legal research and outreach projects
    - Posted online, sent to NOAA, SG Assembly, Law Professors, etc.
  - Internal pre-proposal reviews (in compliance with the RFP and budget guidance)
    - Must address legal research, outreach, or education need
  - PIs invited to submit a full proposal
  - External peer review
    - At least two reviewers (SG extension, law/policy expert)
  - TRP evaluates full proposals and external reviews, makes recommendations
  - PI's present findings at national coastal management conference
    - Law Center organizes panel sessions, covers up to \$1,000 travel
- No research competitions planned for FY 2012

# National Law Center RFP Process for 2012-2013 Projects – Research Metrics

Core Proposals	# of Proposals	# of institutions	# from home institutions
Pre-proposals submitted	26	24	0
Full proposals submitted	13	13	0
Proposals Funded	7	7	0



# National Law Center Contribution to National Performance Measures and Metrics

Focus Area	PM/Metric	Actual
HCE	Number of extension agents or constituents utilizing the NSGLC's advisory service to inform themselves of laws, regulations, and policies related to ecosystem-based management.	2
SCD	Number of extension agents or constituents utilizing the NSGLC's advisory service to inform themselves of laws, regulations, and policies related to ecosystem-based management.	4
SSSS	Number of extension agents or constituents utilizing the NSGLC's advisory service to inform themselves of laws, regulations, and policies related to fisheries management.	2
HRCC	Number of extension agents or constituents utilizing the NSGLC's advisory service to inform themselves of laws, regulations, and policies related to coastal hazard resiliency.	1
Cross-Cutting (Ed.)	Number of law students trained.	6

# National Law Center Impact

- **National Sea Grant Law Center Informs Consumer Seafood Choice Program**

- >200 sustainable seafood guides available to consumers
- Monterey Bay Aquarium's *Seafood Watch Program* most well-known, influential
- In response to VA SG, Law Center examined whether NGO's expose themselves to liability for publishing/listing out-of-date strictures in consumer choice programs
  - E.g., Summer flounder remained listed as an item to avoid due to overfishing, despite the findings of NOAA Fisheries that overfishing not occurring
- Examined basic requirements for product disparagement claim and potential application to listing flounder as “seafood to avoid”
- In September 2010, legal memorandum shared with the Monterey Bay
- Last January, Monterey Bay released bi-annual Seafood Watch guide w/ Summer flounder listed as a **“good alternative”**
- **Law Center research contributed to new classification**
- Potential to expand industry market share and increase profits



GOOD ALTERNATIVES	
Caviar, Sturgeon (US farmed)	
Clams, Oysters (wild)	
Crab: Blue*, King (US), Snow	
Flounder: Summer (US Atlantic)*	
Grouper: Black, Red (US Gulf of Mexico)*	
Herring: Atlantic	
Lobster: American/Maine	
Mahi Mahi (US)	
Pollock: Alaska (US)	
Pollock: Atlantic (Canada & US)	
Pompano: Florida (US)	
Red Porgy	
Salmon (CA, OR, WA*, wild)	
Scallops (wild)	
Shrimp (US, Canada)	
Snapper: Gray, Lane*, Mutton*, Yellowtail (US)	
Swordfish (US)*	
Tilapia (Central & South America farmed)	
Tilefish (US Mid-Atlantic)*	
Tuna: Bigeye, Yellowfin (US Atlantic longline)*	
Wahoo*	

# National Law Center 2010 Research Accomplishments



- **Law Center Partners with National Association of Attorneys General (NAAG) to Raise Awareness about Invasive Species**

- Partnered to conduct educational workshops on invasive species
- Pilot workshop in D.C. (Chesapeake Bay)
- Following workshop, approached Fish & Wildlife Service (FWS) about conducting more workshops
- Positive feedback from the AIS Regional Councils
- Working with FWS (Mike Hoff) to secure funding for workshops in other regions
- Next workshop likely to occur in the Pacific Northwest, due to recent activities in Oregon....



- **Law Center Working with Regional Invasive Species Council**

- In 2011, OR Sea Grant received Law Center grant competition \$ to conduct research and outreach on AIS and boat inspection laws
- Stimulated work with state Attorney General's office that led to passage of bill for Mandatory Boat Inspection
- OR Sea Grant, Regional Council and Law Center interested in bringing the Chesapeake workshop to Pacific Northwest
- Funding uncertainty



# National Law Center 2010 Research Accomplishments



- **Law Center Leads Policy Research on Working Waterfronts Grant**
  - DOC's Econ. Development Administration (EDA) granted \$297,643 to Island Institute of Rockland, Maine, to develop strategies to preserve working waterfronts
  - Collaborative effort among the Island Institute, the Maine, Virginia, and Florida Sea Grant College Programs, the National Sea Grant Law Center, the Urban Harbors Institute, and Coastal Enterprises, Inc.
  - Law Center leading team's research into policy and legal tools to preserve waterfront access across nation
- **Law Center Helps Pennsylvania Citizens Safely Dispose of Unwanted Medicines**
  - PA Sea Grant received grant to expand a pilot medicine mail-back program developed in Maine, but couldn't secure state approval to launch project
  - Law Center conducted preliminary legal research and sought clarification of rules from PA Department of Environmental Protection (DEP)
  - As a result, PA DEP issued formal letter stating that consumers in Pennsylvania may mail-back unused or unwanted medication
    - Marti Martz (PA Sea Grant): *"Thank you also for your efforts on our behalf. I honestly think your involvement was instrumental in moving the issue forward. We could not use the Sharps, Inc. envelopes for unwanted drug mail-back in our state until the PA DEP signed off on the project."*



# Sources (unless otherwise noted)

- Planning, Implementation, and Evaluation Resources (PIER)  
<https://pier.seagrant.noaa.gov>
- Annual Report
- Application for 2012 FFO
- Site Review Team Report
- Site Review Report Response
- Personal Communication with Program